## CITY OF NEWTON PURCHASING DEPARTMENT

## CONTRACT FOR THE PLANNING DEPARTMENT

# <u>REQUEST FOR PROPOSAL:</u> HISTORIC PRESERVATION DESIGN GUIDELINES RFP #12-01

Proposal Due Date: August 25, 2011 at 9:30 a.m.

**JULY 2011** 

Setti D. Warren, Mayor

## CITY OF NEWTON, MASSACHUSETTS PURCHASING DEPARTMENT

July 21, 2011

#### **REQUEST FOR PROPOSAL No. 12-01**

#### HISTORIC PRESERVATION DESIGN GUIDELINES

#### I. DECISION TO USE COMPETITIVE SEALED PROPOSALS

The *Chief Procurement Officer* has determined that in order to select the most advantageous proposal for historic preservation services for the City of Newton Planning and Development Department, comparative judgments of technical factors will be necessary. The City believes that the individual(s)/firm serving in this capacity must have a broad range of experience with Architecture, Architectural History, and Historic Preservation.

#### II. INSTRUCTIONS TO PROPOSERS

A. GOVERNING LAW and DEADLINE FOR SUBMISSION: All proposals must be submitted in accordance with Massachusetts General Laws Chapter 30B, Section 6, to the *Chief Procurement Officer* in the Purchasing Department, Newton City Hall, 1000 Commonwealth Avenue, Newton, MA 02459, no later than **9:30 a.m., August 25, 2011\***.

Four (4) hard copies and ONE (1) CD of the PROPOSAL.

Envelopes shall be marked:

"PROPOSAL - RFP #12-01 Historic Preservation Design Guidelines"

Proposals must have information submitted in the same order of the criteria as listed in this RFP and pages shall be numbered in the bottom footer. Proposals must have a Table of Contents listing the page number providing documentation that demonstrates they have met each of the criteria listed.

Faxed proposals will not be accepted.

"PRICE PROPOSAL - RFP #12-01 Historic Preservation Design Guidelines"

#### IF PRICE IS INCLUDED IN THE TECHNICAL PRPOSAL, THE PRPOSAL WILL BE DISQUALIFIED.

The City of Newton's Purchasing Dept. converted to an email notification system of all upcoming public bids effective July 1, 2009. If you wish to receive notification of bids, please email us your company information to <a href="mailto:purchasing@newtonma.gov">purchasing@newtonma.gov</a>, otherwise you may view all City of Newton public bids online at <a href="https://www.ci.newton.ma.us/bids">www.ci.newton.ma.us/bids</a>.

B. QUESTIONS/ADDENDUMS: Inquiries involving procedural or technical matters should be directed in writing, no later than, August 17, 2011 at 12:00 noon to:

purchasing@newtonma.gov or facsimile (617) 796-1227 Rositha Durham, *Chief Procurement Officer* Purchasing Department City of Newton 1000 Commonwealth Avenue Newton, MA 02459

ADDENDUM: Each proposer is required to acknowledge any/all Addenda. Proposers shall place their acknowledgment as the first line of their Transmittal/Cover Page which shall be placed as the first page of the "Technical Proposal" as well as in the designated line of the "Price Proposal".

Addenda will be posted online and emailed to every individual or firm on record as having received a set of Contract Documents. If you have downloaded the Request for Proposal from the internet, you must make your company

known to the City of Newton, Purchasing Dept. by emailing or faxing your company's: name, address, phone, fax, and email address and include the RFP NUMBER (#12-01) and project title. It is the contractor's sole responsibility to ensure that they have received all addenda's prior to the RFP submittal date. Copies of addenda will be made available at the Purchasing Department and on the City's website: www.ci.newton.ma.us/bids

If you have downloaded the RFP please be sure to email us (<u>purchasing@newtonma.gov</u>), your Name, Address, Phone and Fax numbers, email address and what RFP number and project title you have downloaded.

- C. EXAMINATION OF DOCUMENTS: Each proposer shall be satisfied, by personal examination of the location of the contemplated services and by any other means, as to the requirements of the contemplated services to enable the intelligent preparation of this proposal. The proposer shall be familiar with all RFP Documents before submitting the proposals in order that no misunderstanding shall exist in regard to the nature and character of the contemplated services to be performed. No allowance will be made for any claim that the proposal is based on incomplete information as to the nature and character of the area or contemplated service.
- D. The City of Newton will reject any and all bids when required to do so by the above referenced General Laws. In addition, the City of Newton reserves the right to waive any informalities in any or all bids, or to reject any or all bids in whole or in part, if it be in the public interest to do so.

#### E. TIMELINE:

RFP Released : July 21, 2011 @ 10:00 a.m.

Questions submitted : August 17, 2011 @ 12:00 noon Addenda w/Answers : August 23, 2011 @ 12:00 noon

Proposal Submittal : August 25, 2011\* @ 9:30 a.m.

Award : August 31, 2011

#### III. EVALUATION OF PROPOSALS

There will be no public opening of submitted proposals. Following the deadline for receipt, the *Chief Procurement Officer* will open the Technical Proposals and prepare a register of those firms submitting proposals which shall be available for public inspection. All proposal contents shall be confidential until the evaluation is final and award has been made.

The Technical proposals shall be evaluated by individuals within the City of Newton requesting department designated by the *Chief Procurement Officer* who shall prepare their evaluation based on the criteria contained herein.

Upon completion of the technical evaluation, the *Chief Procurement Officer* will open and evaluate the Price Proposals. A contract will be awarded to the responsive and responsible proposer whose proposal is determined to be most advantageous taking into consideration cost and evaluative criteria. The City reserves the right to reject any and all proposals and to award a contract as determined to be in the best interests of the City.

All proposals shall remain firm for sixty (60) calendar days after the proposal opening.

\*PLEASE NOTE: Proposal Submittal Date has been changed from what was originally advertised.

## City of Newton Newton Historical Commission Historic Preservation Design Guidelines Project

#### SCOPE OF WORK

#### PROJECT OBJECTIVES

The purpose of this project will be to develop a comprehensive "Newton Historic Preservation Design Guidelines Handbook" that will include architectural descriptions of historically significant resources, diagrams, photographs, line drawings, illustrations and updated design review guidelines for Newton's local historic districts, city landmarks, and properties with preservation restrictions. This booklet is also intended to be organized with specific key features listed for prominent architectural styles in Newton such as: Georgian, Federal, Greek Revival, Gothic Revival, Italianate, Second Empire, Queen Anne, Shingle, Colonial Revival, Craftsman, Tudor, Cape, and Ranch. Owners of historic buildings without specific preservation regulations on their properties will also benefit from the guidance provided. Additionally, the booklet will include sections on submission requirements, discussion of Newton's preservation ordinances, maintenance issues with historic buildings, energy conservation, sustainability, and green technology installations.

The process for creating design guidelines will include important policy-setting discussions between the Newton Historical Commission, Newton's local historic district commissions, preservation staff, and the consultant. Proposed guidelines will address the material and design standards for architectural features of historic buildings and new construction including, but not limited to; placement, scale, and massing of additions; and alterations such as façade material changes, as well as specific architectural elements such as: chimneys, lighting, windows, skylights, signage, and solar panels. The process will include a review of the existing design guidelines along with a prioritization of needs for the development of updated or new guidelines. The process will also include public outreach and education through public meetings with property owners and other interested members of the community. All design objectives, guidelines and recommendations produced and developed as part of the project will be in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (36 C.F.R. 67 and 68).

The final product will be a user friendly handbook, which will include design objectives and guidelines, diagrams, photographs and other information necessary to clearly illustrate appropriate design principles for buildings, storefronts, streetscapes, landscaping features, and signage.

## **Phase Meetings**

The project will include four phases. Key personnel to be included in each phase are the Preservation Planner, Preservation Consultant, and NHC members. Project personnel will meet with MHC staff for a start-up meeting prior to the beginning of Phase I and to review project progress and products at the ends of Phases I, II and III. The startup meeting and phase meetings will take place at the Boston office of MHC unless another location is agreed upon. No phase meeting will be held until after products have been submitted for that phase.

#### Scope of Work

PHASE I - Research and Content Development

Tasks:

The Consultant shall review the following documents in order to gain an understanding of the already existing guidelines and policies associated with the Newton's Historic Districts and Buildings:

• Newton's Historic Property Survey forms and other relevant documents for specific buildings and/or districts.

- Existing design guidelines for Newton's four local historic districts: Upper Falls, Chestnut Hill, Newtonville, and Auburndale.
- City of Newton Historic District Ordinance: Chapter 22-40 City of Newton Ordinances.
- City of Newton Landmark Ordinance and Demolition by Neglect Ordinance: Chapters 22-51 and 22-60.
- "Rules and Regulations" of Newton's Historic Districts Commissions.
- Maps of Newton's Local Historic Districts, Landmarks, and properties with preservation restrictions.
- Sample design guidelines (City of Savannah GA, Town of Plymouth MA, City of Providence RI, City of Portland ME, plus any other examples identified by the consultant, preservation staff, NHC, or MHC)
- City of Newton Landmark Reports

The consultant shall conduct a windshield survey in order to become familiar with the architecture and historically significant resources within Newton's four local historic districts, as well as its 18 city landmarks and 30 properties with preservation restrictions.

The consultant shall, as needed, obtain current digital photographs of representative building styles and examples of appropriate and inappropriate alterations or repairs.

The consultant shall develop an outline of recommendations on how best to expand, refine, and illustrate the design guidelines handbook. The consultant shall meet with the NHC and Preservation Planner to review the consultant's recommendations and to establish an agreed upon methodology statement and a detailed schedule for completion of each section of the booklet.

#### **Products:**

Digital photographs of representative Newton architectural styles.	
Examples of appropriate vs. inappropriate alterations, which can be illustrations or	
photographs not necessarily from Newton.	
Written recommendation outlining areas of the existing guidelines that are in need	
of revision and a summary of new sections that should be created.	
An outline of the new design guidelines, methodology statement and a detailed	
timeline for completion of sections.	

Phase I will be completed by October 21, 2011.

#### PHASE II – Development

#### Tasks:

The Consultant shall meet with Newton Historical Commission, HDC members, and Preservation Planner to discuss specific architectural features and the NHC/Newton's HDC's policies or positions on each item.

The Consultant shall present progress on the design guidelines at a public meeting of the NHC.

The Consultant shall complete the text and rough layout of the handbook and submit a draft to the NHC, Preservation staff, and MHC.

#### **Products:**

Phase II will be completed by January 13, 2012.

#### PHASE III - Graphic Design

The Consultant shall present the draft design guidelines at an NHC public hearing.

The Consultant shall revise the final draft design guidelines based on comments received.

The Consultant shall present the revised final draft design guidelines at an NHC meeting.

#### **Products:**

Final Draft of Design Guidelines	
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Phase III will be completed by *April 27, 2012*.

PHASE IV – Production and Distribution

Tasks:

The consultant shall finalize the document and create print-ready electronic files.

Products:

One unbound master copy for City of Newton, two editable electronic copies in Microsoft Publisher, and two PDF formatted documents of the final document (one each for City of Newton and MHC), and 20 paper copies (15 for City of Newton, 5 for MHC). All products shall include Acknowledgement of Federal Assistance and Compliance with Equal Opportunity statements.

Phase IV will be completed by June 15, 2012

This space intentionally left blank.

Minimum Criteria - provide documentation demonstrating your compliance with each criteria or reference what page number within your technical proposal this documentation can be found.

Any proposer submitting a proposal must satisfy the following minimum criteria. **Proposals which do not demonstrate compliance with the minimum criteria will not be further considered.** 

- 1. Combined key personnel (can be more than one person) shall have the following: (1) a graduate degree in Architecture, Architectural History, Historic Preservation, Art History, or a closely related field; and (2) five years of professional experience in historic preservation.
- 2. Resumes are required for all project personnel.

Comparative Evaluation Criteria - provide documentation demonstrating your compliance with each criteria or reference what page number within your technical proposal this documentation can be found. This criteria is listed in order of priority.

#### 1. Quality and Depth of Project Experience:

**Highly advantageous:** The project proposal demonstrates superior experience in providing services related to the City's requirements. The project proposal demonstrates a wide depth of experience with similar projects (5 or more), and prior experience with municipally, privately, or MHC-funded not-to-exceed or fixed-fee contracts. Project work samples are of outstanding quality in content and technical presentation.

**Advantageous:** The project proposal demonstrates solid experience in providing services related to the City's requirements. The project proposal demonstrates a good depth of experience with similar projects (3 to 5), and prior experience with municipally or privately funded not-to-exceed or fixed-fee contracts. Project work samples are of good quality in content and technical presentation.

**Not Advantageous:** The proposer has limited experience in providing services related to the City's requirements or with similar projects (less than 3), and prior experience with public or private, not-to-exceed or fixed fee contracts. Project work samples minimally meet current standards for content and technical presentation.

Unresponsive: Has not completed any design guidelines or projects similar in scope.

#### 2. Qualifications of the Proposer:

**Highly advantageous:** The proposer's resume(s) demonstrate that proposer has superior training, educational background and work experience appropriate to the project described herein and all key project personnel demonstrate professional experience well beyond the minimum requirements.

**Advantageous:** The proposer's resume(s) demonstrate that proposer has adequate training, educational background and work experience appropriate to the project described herein and all key project personnel demonstrate professional experience that meets or somewhat exceeds the minimum requirements.

**Not Advantageous:** The proposer's resume(s) do not demonstrate that proposer has adequate training, educational background and work experience appropriate to the project described herein.

Unresponsive: The proposer did not provide any resumes or background information for project personnel.

#### 3. Completeness and Quality of Proposal:

**Highly advantageous:** Response is complete, concise, informative, and highly detailed. Proposal reflects that proposer is able to perform in a superior manner acceptable to the City. Evaluation team is completely convinced about the proposer's ability to provide the level of services as required by the City. Proposal demonstrates excellent communication and documentation skills.

**Advantageous:** Response is complete, informative, and meets criteria for responsiveness. Evaluation team finds proposal reflects that proposer is able to perform in an adequate manner acceptable to the City. Proposal demonstrates a good level of communication and documentation skills.

**Not Advantageous:** Response lacks a comprehensive approach, but meets criteria for responsiveness. Evaluation team finds proposal reflects that proposer may be able to perform in a manner acceptable to the City. Communication and documentation skills appear only adequate.

**Unresponsive:** Proposal lacks project information regarding the proposers approach to the project.

#### 4. References (3)

One member of the Evaluation Committee will check three (3) references of all Consultant teams who meet the minimum criteria asking the same questions of each reference. The person who checks the references will prepare a report for the remaining evaluators.

**Highly advantageous:** All references contacted spoke favorably of the work performed by the proposer and would use them again for a similar project without hesitation.

**Advantageous:** The great majority of references spoke favorably of the work performed by the proposer and would use them again for a similar project without hesitation.

**Not Advantageous:** One reference stated that there had been significant difficulties with the proposer's ability to deliver the contracted services and deliverables.

**Unresponsive:** Proposal lacks references.

The selection process will include an evaluation procedure based on the criteria identified below. Finalists will be required to appear for an interview.

#### **Project Fee**

The City of Newton has established a budget not to exceed \$30,000 for the Scope of Work described herein. Project fees must be provided for each of the four phases of work as described. Fees shown shall include all costs and expenses (including materials, copying, mileage, photography, etc.) necessary to complete the scope of work.

#### **Price Proposal**

Proposers shall use "ATTACHMENT A" to this RFP#12-01 in submitting this price proposal. Please remember to submit your price proposal in a <u>separately sealed marked envelope</u>. Any Technical proposal with prices will be deemed unresponsive.

#### **Contract Term:**

Work under this RFP is expected to begin the day of contract execution and shall extend for 10 months.

END OF SECTION

## ATTACHMENT A – PRICE PROPOSAL

## City of Newton Planning Department

## RFP #12-01 for Historic Preservation Design Guidelines

This form must be completed and placed, within your price proposal and ensure your envelope is marked:

## "RFP #12-01 Price Proposal-Historic Preservation Design Guidelines"

Name of Firm or individual sub	omitting bid:			
				(Please Print)
Contact Person				
Address:				
Telephone / FAX#:			/	
E-mail address:				
The proposer acknowledges t	he following adde	nda:,,	,	<u> </u>
PHASE #I	\$			
PHASE #II	\$			
PHASE #III	\$			
PHASE #IV	\$			
TOTAL COST	\$			

## **CERTIFICATE OF NON-COLLUSION**

on or fraud with any other pe	erson. As used in this ce	rtification, the word "pe	rson" shall
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-			
	n or fraud with any other pe nip, corporation, union, com	n or fraud with any other person. As used in this centip, corporation, union, committee club, or other org	

Date:

## **CONTRACT FORMS**

The awarded bidder will be required to complete and submit the following documents in order to execute a contract pursuant to
this bid.
The forms are provided for informational purposes only.
None of the following forms are required at the time of bid submittal.

## City - Contractor Agreement #C -

## For

## HISTORIC PRESERVATION DESIGN GUIDELINES

(hereinafter the "Contractor") and the City of Newton, a municipal corporation acting by and through its Plannin Department but without personal liability to him (hereinafter the "City"); collectively, the "parties."  WHEREAS, the City needs the services of an Historic Preservation Professional; and  WHEREAS, the Contractor has submitted a responsive proposal for such services;  NOW THEREFORE, the parties agree as follows:  1. Incorporation of Attached Documents  The following documents, copies of which are attached hereto, are hereby incorporated as part of this Agreemen City of Newton's Request for Proposal No. 12-01, dated issued by Rositha Durham, Chief Procurement Officer (hereinafter "Request for Proposals"); Technical and Price Proposal of, each dated, 2011 and signed	<b>7</b>						
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Procurement Officer (hereinafter "Request for Proposals");Technical and Price Proposal of	:						
Technical and Price Proposal of, each dated, 2011 and signed							
by, (hereinafter, "Contractor's Proposal");							
2. Scope of Work							
Creation of a Historic Preservation Design Guidelines booklet for the purpose of assisting owners of historic hon alterations to their properties.	ıes plar						
3. Term of Agreement							
Work under this RFP is expected to begin the day of contract execution and shall extend for 10 months.							
4. Payment procedures							
The Contractor shall be paid as follows:							
The City of Newton has established a fee not to exceed thirty thousand dollars (\$30,000.00) for the Scope of Wo described herein. At the completion of each of the four project phases, the Contractor shall be paid not to exceed thousand five hundred dollars (\$7,500) after the submission of an invoice.							

6.

Indemnification

The Contractor acknowledges and agrees that he is responsible as an INDEPENDENT CONTRACTOR for all services provided under this Agreement and for all the acts of her employees and agents hereunder and agrees that she will indemnify and hold harmless the City and its agents and employees from and against all claims, damages, losses and expenses, including attorney's fees arising out of, or resulting from, the performance of the services to be performed under this Agreement.

#### 7. Insurance

The Contractor will provide the City with a certificate of insurance reflecting Comprehensive General Liability Insurance with a limit of liability of at least One Half Million Dollars (\$500,000.00) and evidence of workers compensation insurance covering employees of the Contractor. The Comprehensive General Liability policy must name the City as an additional insured and the certificate must reflect this status.

#### 8. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.

#### 9. Non-assignability

This Agreement and the duties of the Contractor to be performed hereunder or any payments due or accrued to the Contractor shall not be assigned or subcontracted.

#### 10. Entire Agreement

This Agreement represents the entire understanding between the Contractor and the City. No change of any of the within terms and conditions can be made, except by written amendment(s) hereto and signed by both parties. This Agreement and any such amendments shall become binding on the City upon the execution thereof by the Mayor of Newton.

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IN WITNESS WHEREOF, the parties have set their hands and seals to this and two like originals.

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### **CITY OF NEWTON**

By	By
Print Name Title Date	Chief Procurement Officer  Date
Affix Corporate Seal here	By
	Date
City funds in the amount of \$are available in account number19B11406	Approved as to Legal Form and Character
I further certify that the Mayor, or his designee, is authorized to execute contracts and approve change orders	By
By	CONTRACT AND BONDS APPROVED
Date	By Mayor or his designee
	Date_

## ATTACHMENT - B

## **CERTIFICATE OF AUTHORITY - CORPORATE**

1.	I hereby certify that I am the Clerk/Secretary of (insert full name of Corporation)
	(insert run name of corporation)
2.	corporation, and that
	corporation, and that (insert the name of officer who signed the <u>contract and bonds</u> .)
3.	is the duly elected
4.	(insert the title of the officer in line 2) of said corporation, and that on
	(insert a date that is <b>ON OR BEFORE</b> the date the
	officer signed the <u>contract and bonds</u> .)
	at a duly authorized meeting of the Board of Directors of said corporation, at which all the directors were present or waived notice, it was voted that
5.	(insert <b>name</b> from line 2) (insert <b>title</b> from line 3)
	(insert <b>title</b> from line 2) (insert <b>title</b> from line 3)
	of this corporation be and hereby is authorized to execute contracts and bonds in the name and on behalf of said corporation, and affix its Corporate Seal thereto, and such execution of any contract of obligation in this corporation's name and on its behalf, with or without the Corporate Seal, shall be valid and binding upon this corporation; and that the above vote has not been amended or rescinded and remains in full force and effect as of the date set forth below.
6.	ATTEST: AFFIX CORPORATE  (Signature of Clerk or Secretary)* SEAL HERE
	(Signature of Clerk or Secretary)* SEAL HERE
7.	Name:
	Name:(Please print or type name in line 6)*
8.	Date: (insert a date that is <i>ON OR AFTER</i> the date the
	(insert a date that is <i>ON OR AFTER</i> the date the officer signed the <u>contract and bonds</u> .)

<sup>\*</sup> The name and signature inserted in lines 6 & 7 must be that of the Clerk or Secretary of the corporation.

## **ATTACHMENT - C**

#### **ATTESTATION**

Pursuant to MG c. 62C, § 49A, the undersigned acting on behalf of the Contractor, certifies under the penalties of perjury that, to the best of the undersign's knowledge and belief, the Contractor is in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.\*

**Signature of Individual or Corporate Contractor (Mandatory)	*** Contractor's Social Security Number (Voluntary) or Federal Identification Number		
By:	Date:		
Corporate Officer (Mandatory, if applicable)			

- \* The provision in the Attestation relating to child support applies only when the Contractor is an individual.
- \*\* Approval of a contract or other agreement will not be granted unless the applicant signs this certification clause.
- \*\*\* Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a contract or other agreement issued, renewed, or extended. This request is made under the authority of GL c. 62C, § 49A.

## ATTACHMENT – D

## CERTIFICATE OF FOREIGN CORPORATION

The undersigned hereby certifies that it has been duly established, organized, or chartered as a corporation under the laws of:

under the laws of:	
(Jurisdiction)	
The undersigned further certifies that it has complied with the requirements	of M.G.L. c. 30, §39L and with the
requirements of M.G.L. c. 181 relative to the registration and operation of fo	oreign corporations within the
Commonwealth of Massachusetts.	
Name of person signing proposal	
Signature of person signing proposal	
Name of Business (Please Print or Type)	
Affix Corporate Seal here	